

**Draft Desk Statement**  
**Internal and Deliberative**

**Ninth Circuit Court Decision Requesting EPA Discontinue the Use of Tetrachlorvinphos**

EPA is aware of and currently reviewing the court decision issued by the Ninth Circuit Court of Appeals regarding the National Resources Defense Council's (NRDC) petition to cancel all registered pet uses for the pesticide tetrachlorvinphos (TCVP).

Protecting children's health is a top priority for EPA. EPA bases its regulatory determinations on scientific risk assessments and risk mitigation, consistent with US federal law. Registration review is a comprehensive, scientific and transparent process.

The Agency is currently preparing a revised human health risk assessment to incorporate new data addressing the composition of pet collars. The revised risk assessment will determine what pet products pose risks of concern to human health. If EPA identifies risks of concern, we will take appropriate action.

EPA will complete the revised risk assessment for TCVP, which is anticipated for public comment in June 2020. The Agency continues to meet all deadlines in the registration review process for TCVP.

**Background**

In 2009, the Natural Resources Defense Council (NRDC) filed the petition for EPA to cancel all pet uses of TCVP. EPA initially determined that the petition must be denied in November 2014 based on the available data at the time. In January 2015, NRDC filed a petition for review of EPA's denial. In response, the Agency revised the 2016 human health risk assessment with the use of additional data finding health risks for young children that exceeded acceptable levels. The estimated risks were based on assumptions of the composition of the pet collars, specifically how much of the active ingredient is present in the form of dust or liquid.

In response to NRDC's cancellation petition in March 2017, EPA responded stating that the Agency intends to address any risk mitigation issues in the course of registration review.

As a result of negotiations with the registrant, Hartz Mountain Corporation, EPA issued a data call-in (DCI) requiring they submit a study to address the composition of pet collars in June 2019.

EPA is currently reviewing the data submitted to update its human health risk assessment, which will result in a more complete, accurate assessment of the risks of TCVP. The Agency expects to issue a revised risk assessment in June 2020.

TCVP is an organophosphate insecticide registered to control various insects including public health pests such as fleas, ticks, flies, lice, and pest larvae. The insecticide is used as a dermal or

oral treatment to livestock (i.e., cattle, swine, poultry and horses) and their premises, in kennels, outdoors as a perimeter treatment, and as a flea treatment on cats and dogs.

TCVP is undergoing registration review, a program that re-evaluates all pesticides on a 15-year cycle. This is a comprehensive, scientific and transparent process that will further evaluate TCVP's potential effects.

[ HYPERLINK "<https://www.epa.gov/ingredients-used-pesticide-products/tetrachlorvinphos-tcvp>" ]

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